

MANDATORY JUDICIAL RETIREMENT: BIBLIOGRAPHY

A. STANDARDS.

American Bar Association, Judicial Administration Division, Committee on Standards for Judicial Retirement. *Standards for State Judicial Retirement Plans*. Chicago: American Bar Association, 1985.

American Bar Association, Judicial Administration Division. *Standards Relating to Court Organization*. Chicago: American Bar Association, 1990.

American Bar Association, Standing Committee on Judicial Independence. *Standards on State Judicial Selection: Report of the Commission on State Judicial Selection Standards*. Chicago: American Bar Association, 2001.

B. SURVEYS.

Meyer, Bernard S. *Judicial Retirement Laws of the Fifty States and the District of Columbia*. New York: Fordham University Press, 1999.

Pyne, Timothy. *Judicial Retirement Plans*. Chicago: American Judicature Society, 1984.

Rottman, David B., et. al. *State Court Organization 1998*. Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2000.

A Survey of State Judicial Fringe Benefits, 2nd ed. Chicago: American Bar Association, 1996.

C. REPORTS.

D'Amico, Sheila. *California Judicial Retirement Study*. San Francisco, CA: National Center for State Courts, Western Regional Office, 1988. WRO-097

Task Force on Mandatory Retirement of Judges. *Report of the Task Force on Mandatory Retirement of Judges*. [Albany?: Office of Court Administration], 1999. <http://www.courts.state.ny.us/manretrep.pdf>

Upjohn, Don. *Mandatory Retirement of Judges; Staff Report*. Salem, OR: Governor's Commission on Judicial Reform, November 15, 1972.

D. BOOKS.

Braithwaite, William T. *Who Judges the Judges? A Study of Procedures for Removal and Retirement*. Chicago, IL: American Bar Foundation, 1971.

Posner, Richard A. *Aging And Old Age*. Chicago: University of Chicago Press, 1995.

Shaman, Jeffrey M., Steven Lubet and James J. Alfini. *Judicial Conduct and Ethics*, 2nd ed. Charlottesville, VA: Michie Law Publishers, 1995.

E. ARTICLES.

- "After 70, Are Judges Too Old? A Second State Answers 'Yes.'" 11 *The National Law Journal* 9 (June 5, 1989).
- Anderson, Cerisse. "5 Judges in New Challenge of Mandatory Retirement Age: Elections for 2 Seats in Question." 198 *New York Law Journal* 1 (September 9, 1987).
- Anderson, Cerisse. "Three Senior Administrative Judges to Step Down: Recently Revived Policy Affects Those over Age 70." 204 *New York Law Journal* 1 (August 7, 1990).
- Barringer, Felicity. "EEOC Urges Federal Courts to Ban Mandatory Retirement for State Court Judges." 135 *Chicago Daily Law Bulletin* 1 (May 23, 1989).
- Brooks, David. "Judicial Retirement Age Attacked in Some States." 124 *New Jersey Law Journal* 3 (September 7, 1989).
- Bushlow, Alan L. "Mandatory Retirement of State-appointed Judges under the Age Discrimination in Employment Act." 76 *Cornell Law Review* 476 (1991).
- Carelli, Richard. "Court Approves Mandatory Retirement for State Judges." 137 *Chicago Daily Law Bulletin* 1 (June 20, 1991).
- Carmody, Cris. "Local Judges Question Wisdom of Ruling." 137 *Chicago Daily Law Bulletin* 1 (June 20, 1991).
- Coyle, Marcia. "The Golden Years; Judges Attempt to Overturn a State's Mandatory-Retirement Scheme." 13 *The National Law Journal* 1 (March 18, 1991).
- Cunicelli, Linda M. "Setting the stage to overrule *Garcia* in the context of mandatory retirement of state judges." 2 *Widener Journal of Public Law* 139 (1992).
- DeBenedictis, Don J. "Judges Sue Their Employers; Suits Claim Age Discrimination Act Protects Appointed Judges." 76 *ABA Journal* 26 (February 1990).
- Fox, Martin. "High Court Ruling Forcing 10 Judges into Retirement." 206 *New York Law Journal* 1 (July 8, 1991).
- Fox, Martin. "State Judges Unprotected by Age Law: Mandatory Retirement Statutes Upheld as Lawful by Justices." 205 *New York Law Journal* 1 (June 21, 1991).
- Garrow, David J. "Mental Decrepitude on the U.S. Supreme Court: The Historical Case for a 28th Amendment." 67 *University of Chicago Law Review* 99 (2000).
- "Give Age a Chance." 12 *The National Law Journal* 14 (January 8, 1990).
- Halbert, Marvin R. "Compulsory Judicial Retirement; an Enlightened Decision?" 15 *Pennsylvania Law Journal-Reporter* 2 (February 24, 1992).
- Hall, Jean Graham. "Too Old for What?" 144 *New Law Journal* 230 (February 18, 1994).
- Hauser, Thomas Alden. "Mandatory Retirement of State Judges and the Age Discrimination in Employment Act." 51 *University of Pittsburgh Law Review* 973 (1990).

- Heckelman, David. "Downstate Judge, 74, Fights to Keep Seat by Challenging Mandatory Retirement Law; Two Candidates Left in Limbo until Supreme Court Resolves the Dispute." 142 *Chicago Daily Law Bulletin* 1 (January 4, 1996).
- Huth, Katharine L. "Garcia Revisited: The Age Discrimination in Employment Act's Application to Appointed State Court Judges." 59 *Fordham Law Review* 403 (1990).
- Kelly, Dan. "What's a Year?" 14 *The National Law Journal* 2 (September 23, 1991).
- Klassen, T. R. and C. T. Gillin. "The Heavy Hand of the Law: The Canadian Supreme Court and Mandatory Retirement." 18 *Canadian Journal on Aging* 259 (1999).
- "Losing Experience." 13 *The National Law Journal* 12 (July 1, 1991).
- Makar, Scott D. "In Praise of Older Judges: Raise the Mandatory Retirement Age?" 71 *Florida Bar Journal* 48 (April 1997).
- "Mandatory Retirement Age for Judges Is Upheld." 135 *Chicago Daily Law Bulletin* 3 (November 30, 1989).
- Mauro, Tony. "The Age of Justice." 23 *American Lawyer* 67 (March 2001).
- McFadden, Christopher R. "Judicial Independence, Age-based BFOQs, and the Perils of Mandatory Retirement Policies for Appointed State Judges." 52 *South Carolina Law Review* 81 (2000).
- New York City Bar Association Council on Judicial Administration. "Mandatory Retirement of Judges." 55 *The Record of the Association of the Bar of the City of New York* 813 (2000).
- Penticuff, Paul Scott. "Mandatory Retirement for Missouri Judges." 57 *Missouri Law Review* 553 (1992).
- Rooney, John Flynn. "Decision Awaited on Judges over 75." 137 *Chicago Daily Law Bulletin* 1 (April 24, 1991).
- Ruddock, Deanna L. "Gregory v. Ashcroft: The Plain Statement Rule and Judicial Supervision of Federal-State Relations." 70 *North Carolina Law Review* 1563 (1992).
- Schweit, Katherine. "Governor's Veto Keeps Judges' Retirement at 75." 133 *Chicago Daily Law Bulletin* 1 (November 19, 1987).
- Sciocchetti, Tina E. "Mandatory Retirement of Appointed State Judges - Age Discrimination?" 85 *Northwestern University Law Review* 866 (1991).
- Severson, Darlene M. "Age Discrimination Law - Mandatory Retirement of Judges: Law and Policy." 17 *William Mitchell Law Review* 858 (1991).
- Shaman, Jeffrey M. "Supreme Court Upholds Mandatory Retirement of State Judges." 75 *Judicature* 222 (December-January 1992).
- Spencer, Gary. "Reform of Judicial Retirement Sought: Task Force Recommends New Senior Judge Status." 222 *New York Law Journal* 1 (September 20, 1999).

Squiers, Deborah. "EEOC Files Suit on Behalf of State Judge." 202 *New York Law Journal* 1 (October 31, 1989).

Squiers, Deborah. "Forced Retirement of Judges in Vermont Declared Illegal." 203 *New York Law Journal* 1 (May 23, 1990).

Squiers, Deborah. "State Judge, 76, Wins Ruling on Retirement: U.S. Court Finds Age Bias Law Blocks Forcing Certificated Justice from Bench." 202 *New York Law Journal* 1 (December 27, 1989).

Trask, Carol B. "Constitutional Law - Mandatory Retirement of Judicial Appointees." 63 *Temple Law Review* 349 (Summer 1990).

"29 Justices Beyond Age 70 Receive Certification to Continue on Bench." 205 *New York Law Journal* 1 (January 8, 1991).

"2 Judges Lose Appeal Against Retirement Age." 198 *New York Law Journal* 1 (October 2, 1987).

Welch, Brian M. "Mandatory Retirement of Appointed State Judges: Balancing State and Federal Interests." 25 *Valparaiso University Law Review* 125 (1990).

Young, M.M. "Mandatory Retirement Delayed for Incumbent Louisiana Judges." 63 *Tulane Law Review* 1197 (1989).